

REMARKS

Claims 1, 3, 4 and 8-28 are now pending in the present application. Claims 1, 10, 13 and 18 are independent. Claims 1, 8 and 9 are amended and claims 23-28 are added. No new matter is involved. Reconsideration of this application, as amended, is respectfully requested.

Claim Amendments

Claim 1 is amended to recite a combination of features, including a water supplying duct for supplying external water to an upper part of the inside of an inner wall of the at least one circulation duct to dehumidify the air in the at least one circulation duct primarily by flowing down the inner wall from said upper part and come in direct contact with air received in the circulation duct. Support for the amendment is found throughout Applicants' originally filed disclosure. It is clear from a reading of Applicants' disclosure that the primary means of dehumidifying air in the circulation duct 20 of Applicants' washing machine is by contact between the humid air being circulated in circulation duct 20 and liquid water flowing down the inside wall of the circulation duct. This is clear not only from Applicants' disclosure of this as the only method of cooling the humid air in the circulation duct, but also because there is no disclosure of spraying water into circulation duct 20 to establish, for example, a curtain of water through which the humid air is circulated. This also distinguishes Applicants' claimed invention

from the applied art, which dehumidifies primarily by using a spray nozzle to spray water into the humid air in a circulation duct, e.g., by establishing a curtain of water through which the humid air circulates.

Claim 8 has been amended to recite the function of the plurality of grooves for helical configuration. Support for the amendment is found throughout Applicant's originally filed application including, for example, paragraph [35].

Rejection Under 35 U.S.C. §112, Second Paragraph

Claim 9 stands rejected under 35 U.S.C. § 112, second paragraph because there is no proper antecedent basis for the language "the structure." This rejection is respectfully traversed.

Applicants believe that what is recited in claim 1, from which claim 9 depends, is structure as contrasted with a method, and to the extent that claim 1 recites washing machine structure, the term "structure" in claim 9 has proper antecedent basis in claim 1, from which claim 9 depends. Nevertheless, solely in the interest of expediting prosecution, Applicants have amended claim 9 to remove the word "structure" to overcome this rejection

Reconsideration and withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. § 103

Claims 1, 3, 4 and 20-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 2,864,175 to Stone in view of either U.S. Patent 2,608,769 to O'Neil, or U.S. Patent 2,881,633 to Warhus, or U.S. Patent 5,983,520 to Kim or U.S. Patent 2,940,179 to Czech. This rejection is respectfully traversed.

Initially, Applicants do not understand why the Examiner continues to use multiple alternative references to serve as multiple separate grounds of rejection which is a direct violation of the Manual of Patent Examination Procedure's statement that this is improper and should not be done. See, in this regard, MPEP §706.02, which has been brought to the attention of the Examiner in a previous Reply. Applicants respectfully request that the Examiner select the best of the multiple secondary references and apply only one of them in this rejection.

Stone's dehumidification scheme primarily relies on spraying water into a humid air circulation duct and establishing a curtain of water to come in contact with the humid air. In this regard, Stone's embodiments shown in Figs. 2-4 all establish a cold water curtain S as the primary means of dehumidifying humid air in Stone's washing machine. Stone does not primarily dehumidify his humid air by flow of water down the inner wall from said upper part that comes in direct contact with the humid air in the circulation duct, as claimed.

Applicants do not believe that any of the secondary references disclose this feature. In this regard, Czech uses a spray nozzle 78 and runs its cooling water

down the back side of the cooling duct so that the cooling water does not come in direct contact with the humid air – see the paragraph bridging cols. 4 and 5, and Figs. 1 and 3, for example. In this regard, Warhus uses spray nozzle 29 (col. 13, first full paragraph) and O’Neil uses spray nozzle 124 (col. 8, first full paragraph). In this regard, Kim uses water supply valve 24 which is shown in Figs. 1 and 5 as providing water directly to the center of the circulation duct and contains no disclosure of flowing it down an interior side wall of the duct as the primary dehumidification means.

Accordingly, even if it were obvious to combine these references, they would not result in, or render obvious, the claimed invention.

Reconsideration and withdrawal of this rejection is respectfully requested.

Claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over the art applied in the rejection of claim 1 and further in view of Japan ‘857. This rejection is respectfully traversed.

The base reference combination does not render the claimed invention obvious, regardless of whether or not it is modified by Japan ‘857 because Japan ‘857 does not remedy the deficiencies in the aforementioned reference combination, which deficiencies are noted above.

Furthermore, Japan ‘857 is directed to a pipeline for transporting exhaust gas of a town gas engine – see the English language machine generated translation from the Japanese Patent Office, wherein condensation forms on the inner wall of

the pipeline and collects at the bottom of a bend 33 in the pipe. To overcome this collection of condensation at the bottom of bend 33, Japan '857 places grooves in the interior sidewall of the pipeline to channel condensation to a weep hole in the side wall to drain the condensation above the bend, so that the condensation will not collect in the bend.

The Office Action does not establish why one of ordinary skill in the condenser type washing machine art would have any incentive to look to Japan '857 because one of ordinary skill in the art would not want to provide a weep hole in the side wall of a washer condensation duct that does not have a water collection problem at a bend in the condensation duct. Applicants respectfully contend that providing a weep hole in Stone's condensation duct would not result in efficient discharge of water from that duct, but would detract from it by creating a source of mold and mildew and would probably violate plumbing codes by providing a leaky clothes washer/dryer.

Japan '857 is directed to a municipal engine exhaust system that is vented to atmosphere and a weep hole is not going to cause a problem in such a system.

Applicants respectfully submit that Japan '857 is non-analogous art to Stone and is not concerned with solving a problem that is shown to exist in Stone.

Finally, the Office Action asserts that to use a plurality of helical grooves involves the mere reversal, duplication of rearrangement of parts, citing MPEP § 2144.04.

Applicants respectfully submit that citing an MPEP Section does not provide proper motivation for one of ordinary skill in the art to modify Stone in view of a reference that is directed solving a problem not found in Stone and then modifying Stone despite the fact that Stone has no perceived problem that would be solved by helical grooves. Furthermore, Applicants have amended claim 8 and recited the function of the helically configured grooves, which function is simply not obvious in view of the applied art.

The Examiner relies upon MPEP §2144.04 as establishing a *per se* rule that duplication of parts is obvious. As stated by the Federal Circuit in *In re Ochiai*, 71 F.3d 1565, 1572, 37 USPQ2d 1127, 1133 (Fed. Cir. 1995), “reliance on *per se* rules of obviousness is legally incorrect and must cease.”

For a *prima facie* case of obviousness to be established, the teachings from the prior art itself must appear to have suggested the claimed subject matter to one of ordinary skill in the art. See *In re Rinehart*, 531 F.2d 1048, 1051, 189 USPQ 143, 147 (CCPA 1976). The mere fact that the prior art could be modified as proposed by the examiner is not sufficient to establish a *prima facie* case of obviousness. See *In re Fritch*, 972 F.2d 1260, 1266, 23 USPQ2d 1780, 1783 (Fed. Cir. 1992). The examiner must explain why the prior art would have suggested to one of ordinary skill in the art the desirability of the modification. See *Fritch*, 972 F.2d at 1266, 23 USPQ2d at 1783-84.

Accordingly, the Office Action does not provide a *prima facie* case of proper motivation to modify the base reference combinations in view of Japan '857 and fails to provide a *prima facie* case of obviousness of the claimed invention of claim 8 based on the applied references.

Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 9, 11 and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the art applied in the rejection of claim 1 and further in view of WIPO '169 (WO 93/17169). This rejection is respectfully traversed.

The base reference combination does not render the claimed invention obvious, regardless of whether or not it is modified by any of the four secondary references, none of which remedies the deficiencies in the aforementioned reference combination, which deficiencies are noted above.

Claim 9 positively recites a combination of features further including an external air supplying duct and an external air fan disposed at an inlet area of the external air supplying duct to draw the external air into the external air supplying duct. The Office Action does not indicate where WIPO '169 discloses an external air supplying duct, as recited, or a fan disposed at an inlet area thereof. Applicants' review of WIPO '169 leads them to believe that WIPO '169, the reference applied to disclose this feature, merely discloses a fan 19 inside of the washer-dryer "for generating an air current in the cooling duct." See page 4, lines 25 and 25 of WIPO '169. WIPO '169 fails to disclose the recited air supplying duct

and a fan disposed at an inlet area of the external air supplying duct, as recited. So, even if it were obvious to modify the art applied in the rejection of Fig. 1 (which it is not) the resulting modified version of that art would neither disclose or render obvious, to the claimed invention.

Moreover, even if the recited external air supplying duct and/or the recited fan disposition were disclosed by WIPO '169 (which they are not), modifying the base reference combination in view WIPO '169 would not result in, or render obvious, the claimed invention because of the deficiencies in the base reference combination, as noted above.

The Office Action also states that no patentable distinction is deemed to exist between the fan as claimed and what is disclosed by WIPO '169's fan as they are functional equivalents of each other.

The Examiner relies assumes a *per se* rule that substitution of equivalents is obvious. As stated by the Federal Circuit in *In re Ochiai*, 71 F.3d 1565, 1572, 37 USPQ2d 1127, 1133 (Fed. Cir. 1995), "reliance on *per se* rules of obviousness is legally incorrect and must cease."

For a *prima facie* case of obviousness to be established, the teachings from the prior art itself must appear to have suggested the claimed subject matter to one of ordinary skill in the art. See *In re Rinehart*, 531 F.2d 1048, 1051, 189 USPQ 143, 147 (CCPA 1976). The mere fact that the prior art could be modified as proposed by the Examiner is not sufficient to establish a *prima facie* case of

obviousness. See *In re Fritch*, 972 F.2d 1260, 1266, 23 USPQ2d 1780, 1783 (Fed. Cir. 1992). The Examiner must explain why the prior art would have suggested to one of ordinary skill in the art the desirability of the modification. See *Fritch*, 972 F.2d at 1266, 23 USPQ2d at 1783-84. No such explanation has been made in this Office Action.

Accordingly, the Office Action has not made out a *prima facie* case that claims 9, 11 and 17 are obvious in view of the applied references. Reconsideration and withdrawal of this rejection of claims 9, 11 and 17 is respectfully requested.

Reconsideration and withdrawal of this rejection of claims 9, 11 and 17 are respectfully requested.

Claim 12 stands rejected under 35 U.S.C. §103(a) as unpatentable over the prior art applied in the rejection of claim 1 and further in view of U.S. Patent 5,277,210 to Kim. This rejection is respectfully traversed.

The base reference combination applied in this rejection does not render the claimed invention obvious, regardless of whether or not it is modified by WIPO '169, which does not remedy the deficiencies in the aforementioned reference combination, which deficiencies are noted above in the traversal of the rejection of claim 1.

Kim is applied to disclose use of external fins on a cooling duct.

The Office Action that notes that Kim has cooling fins 101. However, these fins in Kim are not cooling fins in a clothes dryer to condense water from hot,

humid air being recycled in the clothes dryer. Rather, Kim's cooling fins are for condensing water from hot humid air that is being exhausted from the dishwasher, and is not being recycled, to keep the pressure inside the dishwasher the same as the outside atmospheric pressure – see col. 1, lines 36-46. The Office Action has not pointed out the relevance of such a finned duct in a dishwasher to a duct in a condensing clothes dryer, especially one that has a heating element therein, as does that of Taylor, as pointed out above.

It is not proper to just pick and choose elements from disparate type devices, as here, and demonstrate proper motivation to combine these features from such disparate devices, which are disparate for reasons pointed out above.

Accordingly, the office Action does not make out a *prima facie* case of obviousness of the claimed invention recited in claim 12.

Applicants also respectfully submit that, even if it were obvious to provide fins on the circulation duct of the aforementioned reference combination used to reject claim 1 (and it is not), the resulting modified version of that reference combination would still not result in, or render obvious, the claimed invention because of the deficiencies in the base reference combination, as noted above.

Claim 19 stands rejected under 35 U.S.C. §103(a) as unpatentable over the applied prior art as applied to claim 1, further in view of U.S. Patent 5,207,764 to Akabane.

The base reference combination applied in this rejection does not render the claimed invention obvious, regardless of whether or not it is modified by WIPO '169, which does not remedy the deficiencies in the aforementioned reference combination, which deficiencies are noted above in the traversal of the rejection of claim 1.

Moreover, Stone is a circa 1950's belt driven front loading laundry system with no concept of using a pulsator. Applicants respectfully submit that the Office Action fails to provide proper motivation for one of ordinary skill in the art to retrofit a circa 1950's front loading laundry system with a pulsator, especially in view of the fact that none of the applied secondary references employ a pulsator in a front loading system. Applicants respectfully submit that the Office Action fails to indicate what aspect of Stone is to be replaced by a pulsator and how such a pulsator is going to work in a 1950's front loading machine like that of Stone when Stone's machine apparently works well without the need for a pulsator.

Furthermore, even if the recited pulsator were added to Stone, this modification of the base reference combination would not result in, or render obvious, the claimed invention because of the deficiencies in the base reference combination, as noted above.

Reconsideration and withdrawal of this rejection of claim 19 are respectfully requested.

Claim 10 stands rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent 3,216,126 to Brucken et al. ("Brucken") in view of either U.S. Patent 2,818,719 to Cline or U.S. Patent 3,402,576 to Krupsky. This rejection is respectfully traversed.

Initially, Applicants do not understand why the Examiner continues to use multiple alternative references to serve as multiple separate grounds of rejection which is a direct violation of the Manual of Patent Examination Procedure's statement that this is improper and should not be done. See, in this regard, MPEP §706.02, which has been brought to the attention of the Examiner in a previous Reply. Applicants respectfully request that the Examiner select the best of the multiple secondary references and apply only one of them in this rejection.

Because the rejection is based on 35 U.S.C. § 103, what is in issue in such a rejection is "the invention as a whole," not just a few features of the claimed invention. Under 35 U.S.C. § 103, "[a] patent may not be obtained . . . if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains." The determination under Section 103 is whether the claimed invention as a whole would have been obvious to a person of ordinary skill in the art at the time the invention was made. See In re O'Farrell, 853 F.2d 894, 902, 7 USPQ2d 1673, 1680 (Fed. Cir. 1988). In determining obviousness, the

invention must be considered as a whole and the claims must be considered in their entirety. See Medtronic, Inc. v. Cardiac Pacemakers, Inc., 721 F.2d 1563, 1567, 220 USPQ 97, 101 (Fed. Cir. 1983).

Brucken, the base reference, fails to disclose the recited (1) first and second tubs, and (3) an external fan disposed at an inlet area of the external air supplying duct. The Office Action admits that Brucken only discloses one tub. However, the Office Action does not admit that Brucken fails to disclose an external fan disposed at an inlet area of the external air supplying duct.

Brucken clearly discloses a combined washer-dryer with a single tub, and Brucken's fan (blower 62) is located well inside of the dryer. The Office Action fails to indicate how blower 62 is an external fan, as recited, located at an inlet area of the external air supply duct.

Brucken's external air supply duct is located inside of the dryer cabinet at grille 82, and the blower 62 is located deep inside of the dryer (not washer) of Brucken.

The Office Action tries to remedy the lack of a second tub disposed in a first tub, as recited, by turning to Cline, which is a combined clothes washer and dryer, and Krupsky, which is a combination clothes washer, clothes dryer, dishwasher, dry cleaner and Garment appearance-finishing machine.

The Office Action argues that it would be obvious to modify Brucken (which only discloses a single tub washer-dryer) to include the items associated with the

washing machine as taught either by Cline or Krupsky, for the purpose of providing for a washing and a drying process in the same unit.

Applicants respectfully disagree, for a number of reasons.

Firstly, Brucken is specifically directed to providing a combined washer/dryer having a single tub 37 with gyration means to gyrate the axis of the single tub in one direction while rotating the tub in the opposite direction – see cols. 1 and 2 of Brucken. Brucken appears to work well without the need for a second tub, and the Office Action does not provide objective factual evidence explaining why one of ordinary skill in the art would take a perfectly good single tub washer dryer and redesign and rebuild it to include another tub, especially when Brucken does not need it to function properly. Just because double-tub washer dryers are available does not mean that one of ordinary skill in the art would have incentive to modify a perfectly good single-tub washer dryer, especially where no objective factual evidence of the advantages of doing so is presented by the Office Action.

Merely that the prior art can be modified in the manner suggested by the Examiner does not render the modification obvious unless the prior art suggests the desirability of the modification. In re Fritch, 972 F.2d 1260, 1266, 23 USPQ2d 1780, 1783-4 (Fed. Cir. 1992). As Brucken does not even suggest the claimed double tub combined washer-dryer, this rejection must be based on speculation and/or impermissible hindsight.

Secondly, the Office Action does not explain how Brucken's gyration feature of its single tub would apply to a double tub or whether it would work, at all, in a double tub machine.

Furthermore, even if it were obvious to modify Brucken to provide a double-tub washer dryer (which it is not for reasons stated above), the resulting modified version of Brucken would still not have the claimed external air supplying duct feature and external fan feature.

The Office Action states that these features, i.e., the claimed external air supplying duct feature and external fan feature, would be obvious to provide to Brucken as "a mere extension/duplication of the teachings of Brucken (see MPEP 2144.04 REVERSAL, DUPLICATION OR REARRANGEMENT OF PARTS)."

Applicants respectfully are in complete disagreement with this aspect of the rejection. This rejection completely fails to provide any objective factual evidence of any motivation to provide the claimed external air supplying duct and external fan features, and instead, improperly relies on a "*per se*" rule of unpatentability. As pointed out above, the Federal Circuit has stated, in *In re Ochiai*, 71 F.3d 1565, 1572, 37 USPQ2d 1127, 1133 (Fed. Cir. 1995), that "reliance on *per se* rules of obviousness is legally incorrect and must cease."

For a *prima facie* case of obviousness to be established, the teachings from the prior art itself must appear to have suggested the claimed subject matter to one of ordinary skill in the art. See *In re Rinehart*, 531 F.2d 1048, 1051, 189 USPQ

143, 147 (CCPA 1976). The mere fact that the prior art could be modified as proposed by the Examiner is not sufficient to establish a *prima facie* case of obviousness. See *In re Fritch*, 972 F.2d 1260, 1266, 23 USPQ2d 1780, 1783 (Fed. Cir. 1992). The Examiner must explain why the prior art would have suggested to one of ordinary skill in the art the desirability of the modification. See *Fritch*, 972 F.2d at 1266, 23 USPQ2d at 1783-84.

The Office Action does not provide such an explanation, nor does it present objective factual evidence to support such a speculative conclusion.

Accordingly, the Office Action has not made out a *prima facie* case that claim 10 is obvious in view of the applied references. Reconsideration and withdrawal of this rejection of claim 10 is respectfully requested.

Claims 13-15 stand rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent 3,091,955 to Taylor in view of either U.S. Patent 3,618,344 to Hoffman or U.S. Patent 2,863,311 to Brucken. This rejection is respectfully traversed.

Initially, Applicants do not understand why the Examiner continues to use multiple alternative references to serve as multiple separate grounds of rejection which is a direct violation of the Manual of Patent Examination Procedure's statement that this is improper and should not be done. See, in this regard, MPEP §706.02, which has been brought to the attention of the Examiner in a previous Reply. Applicants respectfully request that the Examiner select the best of the multiple secondary references and apply only one of them in this rejection.

Taylor's spin tub assembly 22 has an outer tub 40 and an inner tub 50 – see col. 2, lines 39-61. Water is supplied to the spin tub assembly 22 by a chute 84 and by a valve 89 to an annular water pipe 90. Water is sprayed into the space between the water container 20 and the spin assembly 22. See col. 3, lines 11-23.

Water is not disclosed as being discharged to the inner walls of water container 20, as stated in the rejection. All that is disclosed is that water is sprayed “into the space between the water container 20 and the spin tub assembly 22.” – see col. 3, lines 11-23.

Thus, Taylor does not disclose any device for discharging external water to inner walls of the first tub to dehumidify air in the first tub during the drying operation, as recited, let alone a tub cover for doing this, as recited.

In an attempt to provide the features missing from Taylor, the Office Action turns to either Hoffman or Brucken.

Hoffman is not directed to a condensing type clothes dryer but only to a clothes washer, that has a fill tube 60 to both fill the inner tub with water and to flush the space between the water container 26 and spin basket 28 to prevent suds lock, a problem that is not disclosed in Taylor. Moreover, the Office Action fails to present any evidence that spraying water into a space between an inner and outer basket to prevent suds lock in a dedicated washing machine is relevant to the issue of spraying water between a water container and an inner tub in a dryer to condense water from moist air. Accordingly, the Office Action fails to

provide objective factual evidence of motivation for one of ordinary skill in the art to use a feature in a dedicated washer to control suds lock in a condenser type dryer to condense water from moist air.

Brucken, applied in the alternative, dispenses its water to condense moisture from nozzles 102, which are not located in a tub cover. Therefore, it would not be obvious to modify Taylor to provide such a feature in a tub cover.

With respect to claims 14 and 15, the office Action bases the rejection on "a mere rearrangement of parts. However, as noted above, this is fundamentally improper. This rejection completely fails to provide any objective factual evidence of any motivation to provide the claimed external air supplying duct and external fan features, and instead, improperly relies on a "*per se*" rule of unpatentability, i.e., mere duplication of parts. As pointed out above, the Federal Circuit has stated, in *In re Ochiai*, 71 F.3d 1565, 1572, 37 USPQ2d 1127, 1133 (Fed. Cir. 1995), that "reliance on *per se* rules of obviousness is legally incorrect and must cease."

For a *prima facie* case of obviousness to be established, the teachings from the prior art itself must appear to have suggested the claimed subject matter to one of ordinary skill in the art. See *In re Rinehart*, 531 F.2d 1048, 1051, 189 USPQ 143, 147 (CCPA 1976). The mere fact that the prior art could be modified as proposed by the Examiner is not sufficient to establish a *prima facie* case of obviousness. See *In re Fritch*, 972 F.2d 1260, 1266, 23 USPQ2d 1780, 1783 (Fed.

Cir. 1992). The Examiner must explain why the prior art would have suggested to one of ordinary skill in the art the desirability of the modification. *See Fritch*, 972 F.2d at 1266, 23 USPQ2d at 1783-84.

The Office Action does not provide such an explanation, nor does it present objective factual evidence to support such a speculative conclusion.

Thus, this rejection of claims 13-15 is improper and should be withdrawn.

Claim 16 stands rejected under 35 U.S.C. §103(a) as unpatentable over the art applied in the rejection of claim 13 and further in view of U.S. Patent 5,277,210 to Kim. This rejection is respectfully traversed.

The alternative base reference combinations applied in this rejection does not render the claimed invention obvious, regardless of whether or not either one is modified by Kim, which does not remedy the deficiencies in the aforementioned reference combination, which deficiencies are noted above in the traversal of the rejection of claim 13.

Moreover, the only circulation duct disclosed by Taylor, which includes duct 156, has a heater 158 therein. The Office Action fails to provide objective factual evidence that it would be obvious to provide cooling fins on a duct that contain a heater.

The Office Action also admits that neither base reference combination discloses cooling fins on an external surface of circulating duct (without identifying the circulating duct).

The Office Action that notes that Kim has cooling fins 101. However, these fins in Kim are not cooling fins in a clothes dryer to condense water from hot, humid air being recycled in the clothes dryer. Rather, Kim's cooling fins are for condensing water from hot humid air that is being exhausted from the dishwasher, and is not being recycled, to keep the pressure inside the dishwasher the same as the outside atmospheric pressure – see col. 1, lines 36-46. The Office Action has not pointed out the relevance of such a finned duct in a dishwasher to a duct in a condensing clothes dryer, especially one that has a heating element therein, as does that of Taylor, as pointed out above.

It is not proper to just pick and choose elements from disparate type devices, as here, and demonstrate proper motivation to combine these features from such disparate devices, which are disparate for reasons pointed out above.

Accordingly, the Office Action does not make out a *prima facie* case of obviousness of the claimed invention recited in claim 16.

Claim 18 stands rejected under 35 U.S.C. §103(a) as being unpatentable over WIPO '169 in view of U.S. Patent 5,768,730 to Matsumoto or Japan 59-183293. This rejection is respectfully traversed.

Initially, Applicants do not understand why the Examiner continues to use multiple alternative references to serve as multiple separate grounds of rejection which is a direct violation of the Manual of Patent Examination Procedure's statement that this is improper and should not be done. See, in this regard,

MPEP §706.02, which has been brought to the attention of the Examiner in a previous Reply. Applicants respectfully request that the Examiner select the best of the multiple secondary references and apply only one of them in this rejection.

WIPO '169's embodiments only disclose a single circulation duct to recirculate humid air from the second tub to the inner tub. Applicant cannot find where WIPO '169 discloses multiple circulation ducts operatively connected to the outer tub to receive air from the outer tub, dehumidify the air and recirculate the dehumidified air back to the inner tub. In the four Figures of WIPO '169, the single recirculation duct that accomplishes this is formed by duct 7 and one of ducts 13, 113, 213 and 313. Each embodiment of WIPO '169 only has one such recirculation duct to receive air from the outer tub, dehumidify the air and recirculate the dehumidified air back to the inner tub.

Matsumoto discloses a drum type dryer having a single tub or drum 302, for example, and a humid air recirculation path 311 – see Figs. 20-23, for example. Air in the recirculation path 311 is both heated and cooled, in one mode of operation, by plural heating fins 316 and plural cooling fins 315, which are part of a conventional refrigeration cycle device. Matsumoto contain no disclosure of a single cooling fin having air circulation duct(s) passing therethrough to dehumidify air in the air circulation duct(s).

Japan '293 appears to recirculate hot and humid air through an impeller cooled by outside air – see Figs. 3-6 of JP '293. The embodiment of Figs 1 and 2 is

not explained in the English language translation on which the rejection is based, but that embodiment appears to insert a finned cooling device inside of the recirculating air duct and the recirculating air passes over it while inside of the recirculation duct. JP '293 does not appear to disclose plural recirculating hot and humid air ducts passing through a single cooling fin, as recited, and the Office Action does not point out where such a feature is found.

Because none of the three applied references, discloses or suggests the claimed invention, no matter how these references are combined, they will not result in, or render obvious, the claimed invention.

In view of the above amendments and remarks, Applicants respectfully submit that claims 1, 3, 4 and 8-22 clearly define the present invention over the references relied on by the Examiner. Accordingly, reconsideration and withdrawal of the Examiner's rejections under 35 U.S.C. § 103 are respectfully requested.

New Claims 23-28

Applicants have added dependent claims 23-28. Support for the subject matter recited in claims 23-28 is found throughout Applicants' originally filed disclosure. The grooves with helical configuration are disclosed, for example, in paragraph [0035]. The water spraying holes at fixed intervals are disclosed, for example, in paragraph [0046], and the water spraying holes at the bottom portion

of the tub cover are disclosed, for example, in paragraph [0015] and in original claim 15.

Applicants believe that the combination of features recited in new claims 23-28 are allowable at least because of their dependency from claims 10, 15 and 18, which patentably define over the applied art at least for reasons stated above.

Furthermore, the newly added features are not rendered obvious by the applied art at least for the reasons stated above regarding claims that recite these additional features, which are rejected, for example, on improper “per se” rules of obviousness.

Cited but Not-Applied Art of Record

Because the remaining references cited by the Examiner have not been utilized to reject the claims, but merely to show the state-of-the-art, no further comments are deemed necessary with respect thereto.

CONCLUSION

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently pending rejections and that they be withdrawn.

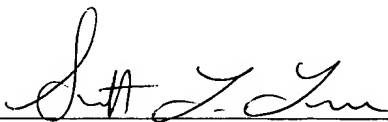
It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.


In the event there are any matters remaining in this application, the Examiner is invited to contact Robert J. Webster, Registration No. 46,472 at (703) 205-8076 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  #41,458
James T. Eller, Jr., #39,538

JTE/RJW/jmb
0465-0838P 

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000